



Application Serial No. 10/781,567

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dougherty et al.
Title: BATTERY MONITORING
SYSTEM AND METHOD
Appl. No.: 10/781,567
Filing Date: 02/18/2004
Examiner: Pia Florence Tibbits
Art Unit: 2838
Atty. Dkt. No.: 054821-0471

CERTIFICATE OF EXPRESS MAILING

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Roberta A. Cooper
(Printed Name)

Roberta A. Cooper
(Signature)

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document, except as noted below, is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to OG Notice dated August 5, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.*

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The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

The relevance of the foreign-language documents is described in the English-language abstracts for the documents provided herewith except for DE 69900638, DE 69423918, DE 69131276 and DE 68924169. An English translation of the foreign-language documents is not readily available. However, the absence of such translation does not relieve the PTO from its duty to consider the submitted foreign language documents (37 CFR §1.98 and MPEP §609).

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

FEE

A fee in connection with submission of an information disclosure statement under 37 CFR §1.97(c) in the amount of \$180.00 in accordance with 37 CFR §1.17(p) is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 11/17/2004

FOLEY & LARDNER LLP
Customer Number: 26371
Telephone: (414) 297-5564
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By 

Marcus W. Sprow
Attorney for Applicant
Registration No. 48,580

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Substitute for form 1449B/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: November 17, 2004 (use as many sheets as necessary)		Application Number	10/781,567
		Filing Date	02/18/2004
		First Named Inventor	Thomas J. Dougherty
		Group Art Unit	2838
		Examiner Name	Pia Florence Tibbits
Sheet	5	of	6
		Attorney Docket Number	054821-0471

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A146	How It Works: Reed Switch Motor, http://members.tripod.com/simplemotor/rsmotor.htm , available at least by 01/06/03, 4 pages.	
	A147	Reed Relay Technical & Applications Information, COTO Technology, 55 Dupont Drive, Providence, RI, pgs. http://www.cotorelay.com/ReedTech.pdf , available at least by 01/06/03, 37-43.	
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Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

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		Attorney Docket Number	054821-0471

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
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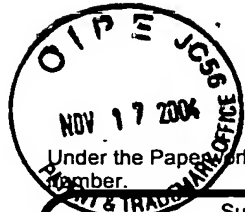
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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: November 17, 2004 (use as many sheets as necessary)			Complete if Known		
			Application Number	10/781,567	
Sheet	1	of	6	Filing Date	02/18/2004
				First Named Inventor	Thomas J. Dougherty
				Group Art Unit	2838
				Examiner Name	Pia Florence Tibbits
				Attorney Docket Number	054821-0471

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	2004/0021468	A1	Dougherty et al.	02-05-2004	
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Sheet	2	of	6		

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Examiner
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Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A109	WO	03/001224	A1	Johnson Controls Technology	01-03-2003		
	A110	DE	699 00 638	T2	Alvarez	08-22-2002		
	A111	DE	100 21 161	A1	Kaiser	10-31-2001		
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	A113	EP	1 120 641	A2	Illinois Tool Works, Inc.	08-01-2001		
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	A122	WO	99 66340		Korea Kumho Petrochemical Co., Ltd.	12-23-1999		

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: November 17, 2004 <i>(use as many sheets as necessary)</i>				Complete if Known		
				Application Number		10/781,567
				Filing Date		02/18/2004
				First Named Inventor		Thomas J. Dougherty
				Group Art Unit		2838
				Examiner Name		Pia Florence Tibbits
Sheet	4	of	6	Attorney Docket Number		054821-0471

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A123	DE	197 50 309	A1	VB Autobatterie GmbH	05-20-1999		
	A124	WO	99 17128		Siemens Automotive S.A.	04-08-1999		
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	A126	DE	195 43 874		Yazaki Corp.	05-30-1996		
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	A129	DE	43 39 568		Robert Bosch GmbH	05-24-1995		
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	A132	EP	0 516 336	B1	Fang	02-12-1992		
	A133	DE	40 07 883	A1	Moto Meter AG	09-19-1991		
	A134	DE	39 01 680	A1	Doduco GmbH et al.	03-22-1990		
	A135	DE	38 08 559	A1	Hella KG Hueck & Co.	09-28-1989		
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	A138	DE	25 11 426	A1	Illinois Tool Works, Inc.	09-25-1975		
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	A140	DE	22 42 410		Kimura et al.	03-22-1973		

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶	
	A141	Intelec '88 – Tenth International communications Energy Conference, "A look at the Impedance of a Cell – S.L. DeBardelaben, New York Telephone Company," bearing a designation "October 30-November 2, 1988." (6 sheets)		
	A142	Battery Alert, Ltd., "The Easy-to-Install Battery Deterioration Warning Device", 12 Volt Model (BA101) Advertisement (2 sheets)		
	A143	Journal of Applied Electrochemistry, Volume 10 Number 1, January 1980 – The Impedance of Electrical Storage Cells – N.A. Hampson, s.A.G.R. Karunathilaka, Department of Chemistry, R. Leek, Department of Electronic and Electrical Engineering, University of Technology, Loughborough, Liecestershire, UK (11 sheets).		
	A144	Battery Evaluation Reports, s.e. Ross Laboratories, Inc., April 1999 (1 page)		
	A145	HSR-003 Application Notes, Hermetic Switch, Inc., Highway 92, Post Office Box 2220, Chickasha, OK 73023, http://www.hermeticswitch.com/RS.htm , available at least by 01/07/03 (1 page)		

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